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EXAMINER
PHAM, HUNG Q

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 December 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-12,14-18,32-37,39-47,49-53,67-71,74 and 119-121* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-12,14-18,32-37,39-47,49-53,67-71,74 and 119-121* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>28 January 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible

for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has

been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37

CFR 1.114. Applicant's submission filed on 12/06/06 has been entered.

Response to Arguments

- *Claim Rejections - 35 USC § 112*

Applicant's arguments with respect to the previous rejection under 35 U.S.C. § 112, first

paragraph, have been fully considered and are persuasive in view of the amendment of claims

1, 32, 36, 37, 67, 71 and 74. The previous rejection of claims 1, 32, 36, 37, 67, 71 and 74 under

35 U.S.C. § 112, first paragraph, has been withdrawn.

- *Claim Rejections - 35 USC § 102 and 103*

Applicant's arguments with respect to the rejection of claims 1, 2, 4-12, 14-18, 32-37, 39-

47, 49-53, 67-71, 74 and 119-121 under 35 U.S.C. § 102 and 103 have been fully considered

but they are not persuasive.

As argued by applicant

1.   At page 19 with respect to claims 1, 36 and 71:

> *The applied reference is not seen to disclose or to suggest the features of independent Claims 1,*
> *36 and 71, and in particular, is not seen to disclose or to suggest at least the features of displaying*
> *items for selection in accordance with an attribute representative of a first axis of access that is a*
> *table-of-contents classification independently of the content of resources, each item being associated*
> *with a corresponding descriptor component of a description, and displaying, in response to a received*

indication, further items for selection in accordance with an attribute representative of a further axis
of access independently of the content of the resources, the further items corresponding to child
descriptor components of the first selected one or more descriptor components.
...

DeRose's table-of-contents is not seen to be displayed independently of the content of the
resources. Accordingly, DeRose is not seen to disclose or to suggest displaying items for selection in
accordance with an attribute representative of a first axis of access that is a table-of-contents
classification independently of the content of resources, each item being associated with a
corresponding descriptor component of a description, and displaying, in response to a received
indication, further items for selection in accordance with an attribute representative of a further axis
of access independently of the content of the resources, the further items corresponding to child
descriptor components of the first selected one or more descriptor components.

2.   At page 21 with respect to claims 32, 67 and 74:

DeRose is not seen to disclose or to suggest displaying one or more tables of contents containing
table of contents items independently of the content of resources, each table of contents item being
associated with a corresponding descriptor component that has a table of contents attribute, and
displaying an index containing displayed index items independently of the content of the resources,
each displayed index item being associated with a corresponding descriptor component that has an
index attribute and is associated with the selected table of contents item.

Examiner respectfully disagrees.

1.   As in FIG. 16 (Col. 16 Lines 33-34), the construction of table of content is
described. As in FIG. 12, rendering a document based on table of contents is illustrated (Col. 17
Lines 5-15), wherein *items for selection*, e.g., BRAKES, GENERAL, HOW CALIPER BRAKES
WORK... is *displayed*, the display of FIG. 12 is *in accordance with* the selecting of "TABLE OF
CONT" box at the bottom right corner of FIG. 13 as *an attribute representative of a first axis of access*
that is a table-of-contents classification. As disclosed by DeRose (Col. 16 Lines 57-60), when the table
of contents construction is completed, the constructed table of contents is written to a file. Thus,
the table of contents is an independent entity and different from the content of the resource of

FIG. 4. In different words, the technique of displaying the table of content *independently of the content of said resources*. As further disclosed by DeRose at Col. 16, Lines 45-56, each item of FIG. 12 associates with an element descriptor or *a corresponding descriptor component of a description read in reading step* by an element identifier.

As show in FIG. 12, the LOOKUP WINDOW in the top left corner is *an indication of a further axis of access* is *received*, and the LOOKUP WINDOW displays *further items for selection*, e.g., SEAT, STAND, BRAKES... SHOES. The displaying of LOOKUP WINDOW is *in accordance with* the selection of LOOKUP WINDOW box at the bottom right corner of FIG. 13 as *an attribute representative of a further axis of access independently of the content of the resources*. The LOOKUP WINDOW is performed by searching the index (Col. 15 Lines 27-33), wherein the index file is an independent entity and different from the content of the resource as in FIG. 4 (Col. 10 Lines 43-61). In different words, the displaying of LOOKUP WINDOW as disclosed by DeRose *independently of the content of said resources*.

As disclosed in FIG. 6, Col. 9 Lines 25-42, a structure of element descriptors is described. Each element descriptor includes a field 92 for representing the parent of the element, e.g., text element 79 has element descriptor 77 as parent. Referring back to FIG. 12, in response to the selection of CALIPER BRAKES at the top right corner of FIG. 12 as *receiving a first selection of one or more descriptor components using the displayed items*, and by selecting SHOES in the LOOKUP WINDOW at the top left corner of FIG. 12, the selected term SHOES is highlighted as in the bottom right corner of FIG. 12 and these highlighted texts corresponds to child element descriptors, e.g., TEXT, of section CALIPER BRAKES as discussed with respect to FIG. 6 (Col. 9 Lines 25-42). In different words, the DeRose technique indicates the claimed limitation *the further items corresponding to child descriptor components of the first selected one or more descriptor components*.

2.   As shown in FIG. 16 (Col. 16 Lines 33-34), the construction of table of content is

described. As in FIG. 12, rendering a document based on table of contents is illustrated (Col. 17

Lines 5-15), wherein *one or more tables of contents containing table of contents items*, e.g., BRAKES,

GENERAL, HOW CALIPER BRAKES WORK… is *displayed*. As disclosed by DeRose (Col. 16

Lines 57-60), when the table of contents construction is completed, the constructed table of

contents is written to a file. Thus, the table of contents is an independent entity and different

from the content of the resource as in FIG. 4. In different words, the technique of storing the

table of content as disclosed by DeRose indicates the *displaying* of the table of content

independently of the content of said resources. As further disclosed by DeRose FIG. 6 (Col. 9 Lines 25-

42), each item of FIG. 12 is associated with an element descriptor, e.g., element descriptor 72,

or *a corresponding descriptor component that has* table of fields 92-98 as *a table of content attribute*.

As show in FIG. 12, the LOOKUP WINDOW in the top left corner is *an index containing*

displayed index items, e.g., SEAT, STAND, BRAKES… SHOES, is *displayed*. The LOOKUP

WINDOW is performed by searching the index (Col. 15 Lines 27-33), wherein the index file is an

independent entity and different from the content of the resource as in FIG. 4 (Col. 10 Lines 43-

61). In different words, the displaying of LOOKUP WINDOW as disclosed by DeRose

independently of the content of said resources.

As disclosed in FIG. 6, Col. 9 Lines 25-42, a structure of element descriptors is

described. Each element descriptor includes a field 92 for representing the parent of the

element, e.g., text element 79 has element descriptor 77 as parent. Referring back to FIG. 12, in

response to the selection of CALIPER BRAKES at the top right corner of FIG. 12, and by

selecting SHOES in the LOOKUP WINDOW at the top left corner of FIG. 12, the selected term

SHOES is highlighted as in the bottom right corner of FIG. 12 and these highlighted texts

corresponds to child element descriptors, e.g., TEXT, of section CALIPER BRAKES as

discussed with respect to FIG. 6 (Col. 9 Lines 25-42). In different words, the DeRose technique

indicates the claimed limitation *each displayed index item*, e.g., SHOES, *being associated with a*

corresponding descriptor component, e.g., TEXT, *that has an index attribute*, e.g., field 92, *and is associated*

with the selected table of contents item, e.g., CALIPER BRAKES.

In light of the foregoing arguments, the rejection under 35 U.S.C. § 102 and 103 is

hereby sustained.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefore, subject to the
conditions and requirements of this title.

Claims 1, 2, 4-12, 14-18, 32-37, 39-47, 49-53, 67-71, 74 and 119-121 are rejected

under 35 U.S.C. 101 because the claimed inventions are directed to non-statutory subject

matter.

Claims 1, 36 and 71 and the dependent claims are directed to a method, apparatus and

program for *browsing electronically-accessible resources*. This claimed subject matter lacks a practical

application of a judicial exception (law of nature, abstract idea, naturally occurring

article/phenomenon) since it fails to produce a tangible result. Specifically, the claimed subject

matter does not produce a tangible result because the claimed subject matter fails to produce a

result that is limited to having real world value rather than a result that may be interpreted to be

abstract in nature as, for example, a thought, a computation, or manipulated data. More

specifically, as in claims 1, 36 and 71, the claimed subject matter provides for *reading, in response to*

a second selection of said child descriptor component having an attribute representative of the table-of-contents

classification, a portion of the electronically-accessible resources via the link of the selected child descriptor component.

This produced result remains in the abstract and, thus, fails to achieve the required status of

having real world value.

Claims 32, 67 and 74 and the dependent claims are directed to a method, apparatus and

program for *annotating an electronically-accessible resource using a description of the resource.* This claimed

subject matter lacks a practical application of a judicial exception (law of nature, abstract idea,

naturally occurring article/phenomenon) since it fails to produce a useful and tangible result.

Specifically, the claimed subject matter does not produce a useful result because the claimed

subject matter fails to sufficiently reflect at least one practical utility set forth in the descriptive

portion of the specification. More specifically, as in claims 32, 67 and 74, while the described

practical utility (utilities) is (are) directed to *annotating an electronically-accessible resource using a*

description of the resource, the claimed subject matter relates ONLY to displaying the table of

content and an index. The claimed subject matter does not produce a tangible result because

the claimed subject matter fails to produce a result that is limited to having real world value

rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a

computation, or manipulated data. More specifically, , as in claims 32, 67 and 74, the claimed

subject matter provides for *associating the chosen representative value with the feature which corresponds to*

the selected displayed index item. This produced result remains in the abstract and, thus, fails to

achieve the required status of having real world value.

Claims 36, 37, 39-47, 49-53 and 67-70 direct to an apparatus comprising software per

se. Software per se is not one of the four categories of invention and therefore claims 36, 37,

39-47, 49-53 and 67-70 are not statutory. Software per se is not a series of steps or acts and

thus is not a process. Software per se is not a physical article or object and as such is not a

machine or manufacture. Software per se is not a combination of substances and therefore is

not a composition of matter.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 32, 36, 67, 71 and 74 are rejected under 35 U.S.C. 112, first paragraph, as

failing to comply with the written description requirement. The claim(s) contains subject

matter which was not described in the specification in such a way as to reasonably

convey to one skilled in the relevant art that the inventor(s), at the time the application

was filed, had possession of the claimed invention.

As in claims 1, 36 and 71, the claimed limitations *receiving a first selection of one or more*

descriptor components using the displayed items... displaying, in response to the received indication, further

items for selection in accordance with ... further axis of access... the further items corresponding to child

descriptor components of the first selected one or more descriptor components; reading, in response to a second

selection of said child descriptor component having an attribute representative of the table-of-contents classification, a

portion of the electronically-accessible resources via the link of the selected child descriptor component were not

described in the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 36 and 71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As in claims 1, 36 and 71, the clause *said child descriptor component* in the last limitation references to other items in the claims. It is unclear what item is being referenced[1].

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-9, 11, 12, 14-18, 32-37, 39-44, 46, 47, 49-53, 67-71, 74, 119-121 are rejected under 35 U.S.C. 102(b) as being anticipated by DeRose et al. [USP 5,644,776].

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[1] For the purpose of examination, this clause will be considered as *a child descriptor component* of *the descriptor component* in the step of *receiving a first selection*.

Regarding claims 1, 36 and 71, DeRose teaches a system and method for indexing and navigating *electronically-accessible resources*, e.g., SGML documents, *using* element directories of FIG. 6 as *descriptions of the resources*. The DeRose system and method comprises:

reading the descriptions of the resources (As illustrated at Col. 16, Line 57-Col. 17, Line 15, elements of the table of contents, e.g., chapters and sections, as *descriptions of the resources* is read from a file that contains table of contents records),

the descriptions being separate from the content of the resources (As illustrated at Col. 16, Line 57-Col. 17, Line 15, the file that contains table of contents records is separated from the actual document) *and having descriptor components having attributes representative of at least two axes of access to the resources, at least one of said axes of access being a table-of-contents classification* (As shown at FIG. 6, Col. 9, Line 25-Col. 10, Lines 41, a description of a resource of FIG. 4 is illustrated, *the description having descriptor components*, e.g., element descriptors 90, *having attributes*, e.g., Column 102 of FIG. 6, *representative at least two axes of access to the resources*, e.g., as shown at FIG. 12, two axes of access are TABLE OF CONTENT and search by term), and

wherein each descriptor component that has an attribute representative of a table of contents also has a link to a corresponding portion of the electronically-accessible resources (FIG. 6, Col. 9, Lines 25-61); *displaying items for selection in accordance with an attribute representative of a first axis of access that is the table-of-contents classification independently of the content of said resources* (As in FIG. 16 (Col. 16 Lines 33-34), the construction of table of content is described. As in FIG. 12, rendering a document based on table of contents is illustrated (Col. 17 Lines 5-15), wherein *items for selection*, e.g., BRAKES, GENERAL, HOW CALIPER BRAKES WORK... is *displayed*, the display of FIG. 12 is *in accordance with* the selecting of "TABLE OF CONT" box at the bottom right corner of FIG. 13 as *an attribute representative of a first axis of access that is a table-of-contents classification*. As disclosed by DeRose (Col. 16 Lines 57-60), when the table of contents construction is completed, the

constructed table of contents is written to a file. Thus, the table of contents is an independent

entity and different from the content of the resource as in FIG. 4. In different words, the

technique of *displaying* the table of content as disclosed by DeRose *independently of the content of said*

resources),

each item being associated with a corresponding descriptor component of a description read in said

reading step (As further disclosed by DeRose at Col. 16, Lines 45-56, each item of FIG. 12

associates with an element descriptor or *a corresponding descriptor component of a description*

read in reading step by an element identifier); and

receiving a first selection of one or more descriptor components using the displayed items (Col. 17,

Lines 5-15, when the table of contents is displayed on the screen, a section of the table of

contents may then be expanded responsive to a mouse event or other indication by a user, by

displaying the titles for any immediate sub-elements of a selected displayed element and for

subsequent elements which were in the original display. Referring back to the TABLE OF

CONTENTS at the top right corner FIG. 12, the selecting of CALIPER BRAKES indicates the

step of *receiving a first selection of one or more descriptor components using the displayed items*);

receiving an indication of a further axis of access (As show in FIG. 12, the LOOKUP WINDOW in

the top left corner is *an indication of a further axis of access is received*); and

displaying, in response to the received indication, further items for selection in accordance with an attribute

representative of the further axis of access (As show in FIG. 12, the LOOKUP WINDOW in the top left

corner displays *further items for selection*, e.g., SEAT, STAND, BRAKES… SHOES. The displaying

of LOOKUP WINDOW is *in accordance with* the selection of LOOKUP WINDOW box at the bottom

right corner of FIG. 13 as *an attribute representative of a further axis of access independently of the content of*

the resources. The LOOKUP WINDOW is performed by searching the index (Col. 15 Lines 27-33),

wherein the index file is an independent entity and different from the content of the resource as

in FIG. 4 (Col. 10 Lines 43-61). In different words, the LOOKUP WINDOW as disclosed by

DeRose indicates the claimed limitation *the further axis of access independently of the content of said*

resources),

the further items corresponding to child descriptor components of the first selected one or more

descriptor components (by selecting SHOES in the LOOKUP WINDOW at the top left corner

of FIG. 12, the selected term SHOES is highlighted as in the bottom right corner of FIG.

12 and these highlighted texts corresponds to child element descriptors, e.g., BRAKE

SHOES and the corresponding TEXT, of section CALIPER BRAKES as discussed with

respect to FIG. 6 (Col. 9 Lines 25-42). In different words, the DeRose technique

indicates the claimed limitation *the further items corresponding to child descriptor components of the*

first selected one or more descriptor components);

reading, in response to a second selection of said child descriptor component having an attribute

representative of the table-of-contents classification, a portion of the electronically-accessible resources via the link of

the selected child descriptor component (As illustrated at FIGS. 6 and 14, Col. 9, Line 50-Col. 10, Line

10, *in response to a second selection of said child descriptor component having an attribute representative of a*

table-of-content classification, e.g., BRAKE SHOES, the text of this section in the top right corner of

FIG. 14 as *a portion of the electronically-accessible resources via the pointer* as *link of the selected descriptor*

component is rendered using pointer to locate the location of the text).

Regarding claims 2 and 37, DeRose teaches all the claim subject matters as discussed

above with respect to claims 1 and 36, DeRose further discloses *description is represented by a tree*

of descriptor components, and one or more of said descriptor components have descriptor components as

descendents (FIG. 3).

Regarding claims 4 and 39, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *one of said axes of access is an index classification* (Col. 17, Lines 32-48).

Regarding claims 5 and 40, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *the descriptions of the resources are generated using a description scheme as a template, and the description scheme uses a declarative description definition language which contains definitions for descriptor components of the descriptions of the resources* (FIG. 4).

Regarding claims 6 and 41, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are defined in the description scheme* (FIG. 4).

Regarding claims 7 and 42, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are a persistent item of the description scheme* (FIG. 4).

Regarding claims 8 and 43, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are instantiated by an application when required* (Col. 8, Lines 30-42).

Regarding claims 9 and 44, DeRose teaches all the claim subject matters as discussed above with respect to claims 8 and 43, DeRose further discloses *the attributes of the descriptor*

components are instantiated using a rule that is associated with the description scheme (Col. 8, Line 43-Col. 9, Line 13).

Regarding claims 11 and 46, DeRose teaches all the claimed subject matters as discussed in claims 1 and 36, DeRose further discloses *the resources comprise an electronic document or resource available over the World Wide Web* (Col. 7, Lines 60-66 and Col. 24, Lines 4-18).

Regarding claims 12 and 47, DeRose teaches all the claimed subject matters as discussed in claims 1 and 36, DeRose further discloses *the resources comprise an electronic device* (FIG. 1).

Regarding claims 14 and 49, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *axes of access are determined by rules operating on the description* (FIG. 13).

Regarding claims 15 and 50, DeRose teaches all the claimed subject matters as discussed in claims 1 and 36, DeRose further discloses *axes of access are determined during the generation of the description of the resource* (Col. 12, Line 56-Col. 13, Line 6).

Regarding claims 16 and 51, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *attributes of said descriptor components representative of said at least two axes of access are inferred from the content of the description* (FIGS. 4, 12-13).

Regarding claims 17 and 52, DeRose teaches all of the claimed subject matter as discussed above with respect to claims 16 and 51, DeRose further discloses *attribute of a said descriptor component is inferred to be a table of content descriptor if the said descriptor component contains a reference to a resource or a section of a resource* (FIG. 6).

Regarding claims 18 and 53, DeRose teaches all of the claimed subject matter as discussed above with respect to claims 17 and 52, DeRose further discloses *attribute of a said descriptor component is inferred to be an index descriptor if the said descriptor component is not inferred to be a table of contents descriptor* (FIG. 11).

Regarding claims 32, 67 and 74, DeRose teaches a system and method for indexing, navigating and annotating an electronically-accessible resource, e.g., SGML documents, *using* element directory of FIG. 6 as *a description of the resources*. The DeRose system and method comprises:

reading the description of the resource (As illustrated at Col. 16, Line 57-Col. 17, Line 15, elements of the table of contents, e.g., chapters and sections, as *descriptions of the resources* is read from a file that contains table of contents records),

the description being separate from the content of the resource (As illustrated at Col. 16, Line 57-Col. 17, Line 15, the file that contains table of contents records is separated from the actual document) and

having descriptor components each of which comprises a name of a feature of the resource and an associated representative v a l u e for the feature, the description also having one or more of the descriptor components including a table of contents attribute and one or more of the descriptor components including an index attribute, the descriptor components that include a table of contents attribute also having a link to a corresponding portion of the

resource (As illustrated at FIG. 6, Col. 9, Line 25-Col. 10, Lines 41, element

directory as *the description having* a plurality of element descriptors as *the*

descriptor components each of which comprises a type name 102 as *a name of a*

feature of the resource as shown in FIG. 6, *and* offset and length of the type

name 102 as *an associated representative value for the feature, the* element directory

as *description also having one or more of the* element descriptors 90 as *descriptor*

components, including a table of contents attribute as shown at FIG. 6, *and one or*

more of the descriptor components including an index attribute, e.g., each element

descriptor is assigned an element identifier (Col. 9, Lines 57-59), *wherein the*

element descriptors as *descriptor components that include a table of contents attribute*

as shown at FIG. 6 *also have a link to a corresponding portion of the resource*, e.g.,

FIG. 6, , Col. 9, Lines 36-39, field 104 representing the location of text

characters or the location of other associated data);

displaying one or more tables of contents containing table of contents items independently of the

content of said resources, each table of contents item being associated with a corresponding descriptor

component that has a table of contents attribute (As shown in FIG. 16 (Col. 16 Lines 33-34), the

construction of table of content is described. As in FIG. 12, rendering a document based

on table of contents is illustrated (Col. 17 Lines 5-15), wherein *one or more tables of contents*

containing table of contents items, e.g., BRAKES, GENERAL, HOW CALIPER BRAKES

WORK... is *displayed*. As disclosed by DeRose (Col. 16 Lines 57-60), when the table of

contents construction is completed, the constructed table of contents is written to a file.

Thus, the table of contents is an independent entity and different from the content of the

resource as in FIG. 4. In different words, the technique of storing the table of content as

disclosed by DeRose indicates the *displaying* of the table of content *independently of the content*

of said resources. As further disclosed by DeRose at Col. 16, Lines 45-56, each item of FIG.

12 associates with an element descriptor or *each table of contents item being associated with a*

corresponding descriptor component that has a table of contents attribute);

    receiving a selection of one displayed table of contents item for an annotation (FIG. 22, Col. 23,

Line 60-Col. 24, Line 34);

    displaying an index containing displayed index items independently of the content of the resources (As

show in FIG. 12, the LOOKUP WINDOW in the top left corner is *an index containing displayed index*

items, e.g., SEAT, STAND, BRAKES... SHOES, is *displayed*. The LOOKUP WINDOW is

performed by searching the index (Col. 15 Lines 27-33), wherein the index file is an

independent entity and different from the content of the resource as in FIG. 4 (Col. 10 Lines 43-

61). In different words, the displaying of LOOKUP WINDOW as disclosed by DeRose

independently of the content of said resources)

        each displayed index item being associated with a corresponding descriptor component that has

        an index attribute and is associated with the selected table of content item (Col. 9, Lines 25-42);

    receiving a selection of one displayed index item (e.g., clicking *shoes* in the LOOKUP WINDOW

of FIG. 12 as the step of *receiving a selection of one displayed index item*);

    associating the selected displayed index item with the selected table of contents item (FIG. 12, shoes as

the selected displayed index item is associated with BRAKE SHOES as *the selected table of contents item* to

have a TEXT VIEW of *shoes*);

    receiving a choice of a representative value for the selected index item (As disclosed by DeRose at

Col. 17, Lines 32-48, another feature provided by the indexing and rendering methods enables

cumulative search statistics to be displayed in combination with the table of contents as shown

in FIGS. 12-13. A user may instruct the system to search on a given word in a document. The

elements in which the selected word occurs may be determined from the frequency record for

the selected word. By providing a style sheet for the table of contents which directs the

rendering process to examine a selected variable, e.g. "word", which may store a value

indicative of a selected search word, when a table of contents then is displayed, the number of

occurrences in the element corresponding to the item for the selected word may be retrieved

from its frequency record and displayed. Thus, a user may know how many times a word occurs

in each section of a document whose table of contents item is displayed. A user may then

determine relevant portions of the displayed document. As seen, the system is *received* an

instruction to display a value indicative the occurrences of a selected search word as *a choice of a*

representative value for the selected index item);

associating the chosen representative value with the feature which corresponds to the selected displayed

index item, wherein the chosen representative value and its corresponding feature provide said annotation of the

resource (the number of occurrences as *the chosen representative value is associated with* each section of

table of contents item as *the feature which corresponds to the selected index item*, and as illustrated at the

top right of FIG. 12, the number of occurrences of the word *shoes* indicates *the chosen*

representative value and its corresponding feature provide an annotation of the resource).

Regarding claims 33 and 68, DeRose teaches all of the claimed subject matter as

discussed above with respect to claims 32 and 67, DeRose further discloses *description read in*

said reading step is represented by a tree of descriptor components, and one or more of the descriptor components

have descriptor components as descendants (FIG. 3).

Regarding claims 34 and 69, DeRose teaches all of the claimed subject matter as

discussed above with respect to claim claims 32 and 67, but does not explicitly discloses the

step of *associating the selected display index item is allowed only if the corresponding descriptor of the selected*

display index item is a valid descriptor for the table of contents item selected for annotation. However, as

illustrated at FIG. 13, a user can enter a term into the search box of LOOKUP WINDOW, and if

the search term is invalid, obviously, there will be no annotation. It would have been obvious for one of ordinary skill in the art at the time the invention was made to include the condition of associating the number of occurrences of a word in order to annotate the table of content.

Regarding claim 35, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 32, DeRose further discloses the step of *choosing a representative value is predetermined* (Col. 17, Lines 32-48).

Regarding claim 70, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 67, DeRose further discloses *operation of said means for selecting one said table of contents item is optional and if not performed said means for displaying an index displays all said index items associated with all said table of contents items* (the operational boxes at the bottom right of FIG. 13).

Regarding claim 119, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 1, DeRose further discloses *the corresponding portion of the electronically-accessible resources is a spatially localized extent of the resources* (FIG. 3).

Regarding claim 120, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 1, DeRose further discloses *the corresponding portion of the electronically-accessible resources is a temporally localized extent of the resources* (FIG. 22, after annotation).

Regarding claim 121, DeRose teaches all of the claimed subject matter as discussed above with respect to claim 32, DeRose further discloses *the corresponding portion of the resource is the resource* (FIG. 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 10 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeRose et al. [USP 5,644,776] in view of Rowe et al. [USP 6,073,148].

Regarding claims 10 and 45, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, but does not explicitly disclose *the resources comprise an item of digital audiovisual content* (Col. 1, Lines 5-10). Rowe teaches an electronic document comprises an item of digital audiovisual content (Rowe, Col. 1, Lines 29-39). It would have been

obvious for one of ordinary skill in the art at the time the invention was made to include item of

digital audiovisual content in order to illustrate the content of an electronic document.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to HUNG Q. PHAM whose telephone number is 571-272-4040. The

examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, TIM T. VO can be reached on 571-272-3642. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HUNG Q PHAM
Examiner
Art Unit 2168

January 4, 2007